

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 16, 1990
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 9:53 a.m. The meeting was recessed by Mayor O'Connor at 11:47 a.m. into Closed Session in the 12th Floor Conference Room at 2:00 p.m., and to reconvene the regular Council Meeting thereafter.

The meeting was reconvened at 2:30 p.m. by Mayor O'Connor with Council Member Pratt not present. Mayor O'Connor recessed the meeting at 2:35 p.m. to convene the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 2:38 p.m. with all members of the Council present. Mayor O'Connor recessed the meeting at 4:06 p.m. to reconvene the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 4:16 p.m. with Council Member Henderson not present. Mayor O'Connor adjourned the meeting at 4:17 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Bernhardt-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (rb;mp)

FILE LOCATION: MINUTES

Jan-16-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Jan-16-1990

ITEM-10: INVOCATION

Invocation was given by Reverend Arthur M. Gaunt of
Dawson Avenue Alliance Church.

FILE LOCATION: MINUTES

Jan-16-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Bernhardt.

FILE LOCATION: MINUTES

ITEM-30: (R-90-1055) ADOPTED AS RESOLUTION R-274970

Proclaiming January 15 through January 21, 1990 to be
"Civic Theater Awareness Week" in San Diego, in recognition

of the Civic Theater's 25th Anniversary; commending the
many individuals and organizations who have played key
roles in the establishment and ongoing success of San
Diego's Civic Theater.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A057-166.)

MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not
present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-90-1047) ADOPTED AS RESOLUTION R-274997

Proclaiming April 1990 to be "Youth Month" in San Diego,
and commending the volunteers and organizations involved
with the project for their important contributions to the
enrichment of the lives of our youth in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D006-053.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

Jan-16-1990

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

11/20/89

11/21/89

11/27/89 Adjourned
11/28/89 Adjourned
11/30/89 Committee of the Whole
11/30/89 Special
12/04/89
12/04/89 Special

12/05/89
12/11/89
12/12/89

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A168-194.)

MOTION BY ROBERTS TO APPROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-90-953) ADOPTED AS RESOLUTION R-274971

Awarding a contract to Pearson Ford for the purchase of Ford auto and truck repair parts, as may be required for a period of one year beginning January 1, 1990, for an estimated cost of \$218,000, including tax and terms, with an option to renew the contract for an additional one year period. (BID-C1103/90)

FILE LOCATION: CONT - PURCHASE - PEARSON FORD CONT
FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

*** ITEM-101: (R-90-954) ADOPTED AS RESOLUTION R-274972**

Awarding a contract to South Bay Diesel and Hydraulic, Inc., for the purchase of miscellaneous copper and brass pipe and fittings, as may be required for a period of 6 months beginning December 1, 1989, for an estimated contract total for the first 6 months of \$32,800, including tax and terms, with options to renew the contract for three additional six month periods, with the option period price increases not to exceed the prices in the previous contract period by more than 5 percent. (BID-E1066/90)

**FILE LOCATION: CONT - PURCHASE - SOUTH BAY DIESEL AND
HYDRAULIC, INC. CONT FY90-1**

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-102: (R-90-952) ADOPTED AS RESOLUTION R-274973**

Awarding a contract for the purchase of miscellaneous turbine type water meters with strainers, regular and fire, as may be required for a period of one year beginning December 15, 1989 through December 14, 1990, for an estimated total of \$38,800 for the first one year period, (Mueller Co. - \$28,900 and Kent Meters, Inc. - \$9,900), including tax and terms. (BID-E1105/90)

**FILE LOCATION: CONT - PURCHASE - MUELLER CO. AND KENT
METERS, INC. CONT FY90-2**

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-90-1013) ADOPTED AS RESOLUTION R-274974

Resolution of Intention to vacate Sychar Road south of Peter Pan Avenue; fixing a time and place for the public hearing.
(Skyline-Paradise Hills Community Area. District-4.)

FILE LOCATION: DEED F-5158; J-2731 DEED FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104:

Two actions relative to the dedication of El Camino Real, Derby Downs Road and San Dieguito Road:
(North City West Community Area. District-1.)

Subitem-A: (R-90-936) ADOPTED AS RESOLUTION R-274975

Dedicating portions of Sections 7 and 12, Township 14 South, Range 3 West, S.B.B.M., as and for public streets; naming Parcel 1 and Parcel 4 El Camino Real; naming Parcel 2 Derby Downs Road; naming Parcel 3 San Dieguito Road.

Subitem-B: (R-90-1019) ADOPTED AS RESOLUTION R-274976

Certifying that the information contained in Environmental Negative Declaration END-84-0636 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The City Council adopted Resolution R-266237 on July 15, 1986 authorizing a condemnation action to acquire the right-of-way for El Camino Real, Derby

Downs Road and San Dieguito Road. All settlements in the condemnation action have now been completed and final orders of condemnation received from the Superior Court. The last action required on this project is the dedication and naming of the street right-of-way.

FILE LOCATION: DEED F-5159 DEED FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-90-1034) ADOPTED AS RESOLUTION R-274977

Excusing Mayor Maureen O'Connor from attending the regularly scheduled City Council meetings of November 20, and December 11, 1989; Housing Commission meetings of November 20, and December 4, 1989, due to other official City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-90-792) ADOPTED AS RESOLUTION R-274978

Accepting the report of the Clean Water Program Manager entitled "Recommended Basin Plan Strategies for Implementation of the Proposed Water Reclamation Master Plan" dated September 1989.

(See City Manager Report CMR-89-539.)

COMMITTEE ACTION: Reviewed by PSS on 12/6/89. Recommendation to approve. Districts 2, 3, 4, 5 and 7 voted yea. WU-CWP-90-063.

FILE LOCATION: WATER - CLEAN WATER PROGRAM

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-90-1018) ADOPTED AS RESOLUTION R-274979

Authorizing the City Manager to accept a \$5,000 grant from the County of San Diego Cable Television Review Commission to produce and distribute a video documentary designed to reach and motivate non-literate adults to seek free tutoring assistance from READ/San Diego, the Library's adult literacy program; authorizing the City Manager or his representative to perform all acts necessary to secure and administer the funds.

CITY MANAGER SUPPORTING INFORMATION: On November 23, 1989, the San Diego Public Library was notified that READ/San Diego, the Library's Adult Literacy Program, had been selected as a recipient of a \$5,000 grant from the 1989/1990 Cable Television Grant Award Program. The grant funds will be used to produce a documentary/promotional video to educate the public on the language experience approach to teaching reading. The tape will encourage the non-literate viewer to seek help and recruit individuals to become volunteer tutors. The project director will be Margaret Nunez, a certified community producer. The video will be distributed to local cable companies for airing, to public libraries for general circulation and to county-wide volunteer tutor training programs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108: (R-90-892) ADOPTED AS RESOLUTION R-274980

Authorizing a rent credit in the amount of \$75,000 to Vincent-McKee Sports, Inc., the golf shop concessionaire at the Torrey Pines Golf Course, for losses incurred due to closures of the golf course for maintenance, construction and renovation projects from August 1988 to June 1989;

authorizing the execution of a first amendment to the lease agreement to require the City to grant a rent credit of \$700 per day for each day nine or more holes are closed in the future for maintenance, construction or renovation projects at Torrey Pines Golf Course.

(See City Manager Report CMR-89-572. Torrey Pines Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 12/13/89.

Recommendation to approve the City Manager's recommendation to authorize a rent credit of \$75,000 for past closure of portions of the golf course and a \$700 per day rent credit for any future partial closures. Districts 1, 3, 6, 7 and 8 voted yea.

FILE LOCATION: LEAS - VINCENT-McKEE SPORTS, INC., TORREY PINES GOLF COURSE LEAS FY90-1

COUNCIL ACTION: (Tape location: A261-295.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-90-1032) ADOPTED AS RESOLUTION R-274981

Authorizing the City Manager to work with the City Architect and the Civic Center Competition Advisor to appoint a seven member design/build competition jury, with members of the jury to be appointed from the following categories:

1. Architect
2. Landscape architect
3. Planner/urban designer
4. Architectural educator/writer
5. Industrial designer
6. Developer
7. Community representative at large

Authorizing the expenditure of an amount not to exceed \$18,400 from CIP-37-220.1, Civic Center Complex, Fund 41300, for the purpose of providing funds for additional costs associated with the design/build competition jury.

(See City Manager Report CMR-90-11.)
Aud. Cert. 9000583.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-90-1020) ADOPTED AS RESOLUTION R-274982

Authorizing the execution of a Joint Use Agreement, Document No. 15169 with the State Department of Transportation (CalTrans), for the relocation of the sewer facilities to accommodate freeway construction on Road 11-SD-5/54 between "E" Street in Chula Vista and 24th Street in National City.

CITY MANAGER SUPPORTING INFORMATION: In 1971, a portion of the 90-inch Metro Sewer Main was relocated within the State's right-of-way to accommodate major freeway improvements

constructed along the I-5 Corridor. Although discussed but not finalized at the time, the State informally acknowledged that the City had prior easement and access rights for and to the then existing facility and that those rights should be transferred to the relocated facility. Joint Use Agreement, Document No. 15169, confirms the continued right to the City to locate and maintain the relocated facility within the State's right-of-way. The agreement further stipulates that the entire cost of any future relocation of the facility, if necessitated by any future rearrangement or reconstruction of the freeway, will be borne by the State.
WU-U-90-084.

FILE LOCATION: MEET CONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-90-982) ADOPTED AS RESOLUTION R-274983

Authorizing the execution of Amendment No. 1 to the agreement of September 18, 1989 with Engineering Science, Inc. to provide engineering planning services for the South Bay ocean outfall by performing Phase IV of the Tijuana Oceanographic Engineering Studies (TOES IV), together with and necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the expenditure of an amount not to exceed \$68,568 from the Sewer Revenue Fund (No. 41506), Modified Wastewater Treatment Facilities Plan (CIP-46-147.0), for the purpose of providing funds for the above amendment; recommending financing or refinancing the project with

tax-exempt securities should circumstances warrant.
(See City Manager Report CMR-89-554. Tijuana River Valley
Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PSS on 12/6/89. Recommendation
to approve the City Manager's recommendation. Districts 2, 3,
4, 5 and 7 voted yea.
Aud. Cert. 9000546.
WU-CWP-90-077.

FILE LOCATION: MEET CCONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)
CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-90-1012) ADOPTED AS RESOLUTION R-274984

Waiving Council Policy 300-07, Consultant Services
Selection, in connection with improvements at the Balboa
Park Rose Garden; authorizing the execution of an agreement
with Garner Perdue Associates for professional services

required for Balboa Park Rose Garden improvements, together
with any necessary modifications or amendments which do not
increase the project scope or cost and which the City
Manager shall deem necessary in order to carry out the
purposes and intent of the project and agreement;
authorizing the City Manager to add CIP-21-838.0, Balboa
Park Rose Garden - Improvements, to the Fiscal Year 1990
Capital Improvement Program; authorizing the City Auditor
and Comptroller to transfer an amount not to exceed \$24,030
from CIP-21-834.0, Balboa Park Requirements, Transient
Occupancy Tax Unappropriated Reserve - Balboa Park
Improvements, Fund No. 102242, to CIP-21-838.0, Balboa Park
Rose Garden - Improvements; authorizing the expenditure of
an amount not to exceed \$24,030 from CIP-21-838.0, Balboa

Park Rose Garden - Improvements, for the purpose of providing funds for the above project.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement with Garner Perdue Associates, will provide the professional services required to prepare the construction documents for the Balboa Park Rose Garden - Improvements project. The project will complete the east side of the rose garden and will include retaining walls, an overhead trellis, sidewalks, an automatic irrigation system and slope landscaping. This consultant designed the existing rose garden improvements and is therefore uniquely qualified for this project. Waiver of Council Policy 300-07 is requested.

Aud. Cert. 9000554.

FILE LOCATION: MEET CCONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-90-1005) ADOPTED AS RESOLUTION R-274985

Authorizing the execution of a third amendment to the agreement with James M. Montgomery, Consulting Engineers,

Inc., for services in connection with planning the modification and enlargement of the Metropolitan Sewerage System and to provide secondary treatment and water reclamation, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$2,050,306 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of providing funds for the above project;

authorizing the City Manager to delete the funds for the expert witness services from the second amendment to the James M. Montgomery Agreement in the amount of \$76,987 and to allocate the funds for these services to cover the cost incurred by the City Attorney's Office in support of the Clean Water Program and to be paid by the Risk Management Department.
(See City Manager Report CMR-90-03.)
Aud. Cert. 9000565.
WU-90-083.

FILE LOCATION: MEET CCONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)
CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-90-1021) ADOPTED AS RESOLUTION R-274986

Authorizing the execution of a contract with Woodward-Clyde Consultants, for geotechnical engineering services for the Alvarado Filtration Plant Joint Laboratory Facility and Training Facility; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$11,400 within the Sewerage Utility Revenue Fund 41506, from the Unallocated Reserve (70697) to the Sewer Construction Program (70492), Alvarado Filtration Plant Joint Laboratory Facility CIP-46-124; and \$7,600 within the Water Revenue

Fund 41502, from the Unallocated Reserve (70679) to the Water Construction Program (70592), Alvarado Filtration Plant Joint Laboratory Facility, CIP-73-258; authorizing the transfer of an amount not to exceed \$11,400 within the Sewerage Utility Revenue Fund 41506, from the Unallocated Reserve 700697) to the Sewer Construction Program (70492), Alvarado Filtration Plant Joint Laboratory Facility, CIP-46-123; and \$7,600 within the Water Revenue Fund 41502,

from the Unallocated Reserve (70679) to the Water Construction Program (70592), Alvarado Filtration Plant Joint Laboratory Facility, CIP-73-257; authorizing the expenditure of an amount not to exceed \$11,400 from the Sewerage Utility Revenue Fund (41506) Alvarado Filtration Plant - Joint Laboratory Facility, CIP-46-124; and \$7,600 from the Water Revenue Fund (41502) Alvarado Filtration Plant - Joint Laboratory Facility, CIP-73-258; and \$11,400 from the Sewerage Utility Revenue Fund (41506) Alvarado Filtration Plant - Training Facility, CIP-46-123; and \$7,600 from the Water Revenue Fund (41502) Alvarado Filtration Plant - Training Facility, CIP-73-257, for the purpose of providing funds for the above project.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: In accordance with the January 11, 1989 memorandum from the City Manager regarding building permits for City-owned buildings, Phase II - Structure Construction of the Joint Laboratory Facility and Training Facility will be field inspected by the Building Inspection Department. The Phase I - Site Grading required field engineering observation by a certified geotechnical engineer. The annual geotechnical engineer for the Water Utilities Department, Woodward-Clyde Consultants, was contracted to perform the work. Due to the scope of work that was required, the cost of their service exceeded the annual consultant agreement limit. Therefore, Council action is requested. The services performed by Woodward-Clyde Consultants will fulfill the Building Inspection requirements only.

Aud. Cert. 9000548.

WU-U-90-058.

FILE LOCATION: MEET CCONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-90-1024) ADOPTED AS RESOLUTION R-274987

Approving Change Order No. 2, dated November 9, 1989, issued in connection with the contract with L.R. Hubbard Construction Co., Inc., for the Newport Avenue Public Improvement Project amounting to a net increase in the contract price of \$35,583.07.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This change order relates to the contract for the public improvements within the Newport Avenue commercial district of Ocean Beach. The project includes the three-block area bounded by Abbott Street, Santa Monica and Niagara Avenues and Sunset Cliffs Boulevard. The public improvements are part of a commercial revitalization program for the area and include sidewalk and curb replacement, installation of street lights, electrical and irrigation systems, landscaping, and decorative tile placement. The original construction contract amount was \$988,276.82. This change order for \$35,583.07, combined with an earlier contract reduction of \$47,560, will result in an adjusted contract amount of \$976,299.89. The change primarily reflects substitution of street light poles different from those anticipated in the original design as well as additional sidewalk, curb, and pedestrian ramp replacement agreed to by the community. These costs were partially offset by other project savings resulting in an adjusted contract total which is still within the original contract amount of \$988,276.82.

Aud. Cert. 9000577.

FILE LOCATION: CONT - L.R. HUBBARD CONSTRUCTION CO., INC.
CONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-90-817) CONTINUED TO JANUARY 22, 1990

(Continued from the meeting of December 11, 1989, Item 105, at Deputy Mayor Wolfsheimer's request, for additional background information.)

Authorizing the execution of a deed conveying to Whispering Palms Community Service District an easement for sewer pipelines, mains, manholes, sewer lateral pipelines and right-of-way, in a portion of Lot 2 of Fairbanks Country Club Unit No. 1, Map-10730.

(Fairbanks Ranch Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Whispering Palms Community Service District is now converting its area from septic tank systems to municipal sewer hook-up and requires a sewer easement over City-owned land in order to connect to the Metropolitan Sewer System. The portion of the Fairbanks Ranch Country Club sought is an easement 20 feet wide and 247.54 feet long containing 4,950 square feet. This portion of the Country Club is actually roadside setback, moderately sloping, and is considered excess property which doesn't contribute to its highest and best use of the adjacent property as developed. The Fairbanks Ranch Golf Course, which is the lessee of this property, is very much in favor of this action as it will alleviate a leaching problem that now effects the golf course operations and maintenance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A195-203.)

MOTION BY McCARTY TO CONTINUE ITEM TO JANUARY 22, 1990, AT THE REQUEST OF JACK McGRORY, TO DISCUSS WITH DEVELOPERS AND THE CITY ATTORNEY DUE TO LITIGATION BETWEEN THE CITY AND THE COUNTY OVER THE APPROVAL OF HERITAGE HILLS PROJECT. Second by Filner.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330: (R-90-891) CONTINUED TO JANUARY 23, 1990

A proposal to approve an amendment to the San Diego Association of Governments (SANDAG) Joint Powers Agreement (JPA) establishing SANDAG as the Regional Planning and Growth Management Review Board proposed in Proposition C. Adoption of a Resolution approving the amendment to the agreement.

CITY MANAGER SUPPORTING INFORMATION: In November 1988, the voters approved Proposition C, an advisory measure proposing establishment of a Regional Planning and Growth Management Review Board. The issues listed by the measure to be addressed by the Board are: quality of life standards and objectives; holding capacities; growth rate policies; growth phasing; regional land use distribution; growth monitoring; open space preservation; significant regional arterials; transportation system management; transportation demand management; siting and financing regional facilities; consistency of regional and local plans; and regional growth management strategy. As proposed by Proposition C, a Blue Ribbon Committee was established consisting of representatives of the cities and the County, and formulated its recommendation which would be carried out by this Amendment to the SANDAG Joint Powers Agreement (JPA). On September 12, 1989 the Council approved in concept establishment of the Regional Planning and Growth Management Review Board as envisioned by Proposition C, through amendment to the existing SANDAG JPA.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A298-623.)

Hearing began at 10:19 a.m. and halted at 10:38 a.m.

Testimony in favor by Allen Boothe, representing the Chamber of Commerce.

Mayor O'Connor closed the hearing.

Motion by McCarty to approve the item. Second by Roberts. No vote taken.

MOTION BY HENDERSON TO CONTINUE ONE WEEK TO HAVE THE CITY ATTORNEY REVIEW COUNCIL MEMBER BERNHARDT'S QUESTIONS CONCERNING

THE ADDITION OF CLEAR LANGUAGE TO SECTIONS 4A AND 4B OF THE AGREEMENT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO JANUARY 23, 1990

1) Matter of rezoning a total of 6.87-acres of property in conformance with the Southeast San Diego Community Plan land use designations. (C-Sheets: C-732E.2, C-732G.1, C-732I.1, and C-732O.1)

a) Rezoning an Encanto site from Zone R1-6000 to Zone SF-6000. The subject property is generally located south of an unnamed street, west and north of Imperial Avenue, east of 69th Street, and is further described as the Toler Addition to Encanto Heights Amended Record of Survey No. 4763, Lots 1-15, Map-1403.

b) Rezoning a Lincoln Park site from Zone CSF-1 and MF-2500 to Zone CSR-1. The subject property is generally located at the northwest and southeast corners of 47th Street and Imperial Avenue, and is further described as Lemon Garden Acres, Lots 53 through 57 and a portion of Lot 46, Map-1390, and Alta Vista Suburb Tract No. 2, a portion of Lot 1 and Lots 2 through 8, Map-1029.

c) Rezoning a Memorial neighborhood site from Zone CSR-2 and MF-3000 to Zone I-1 (light industrial zone).

The subject property zoned CSR-2 is generally located between 32nd and 33rd Streets, north of National Avenue to the alley and south of National Avenue to the alley and is further described as Seaman and Choates Addition, Lots 17 through 20, Block 309, and Lots 29 through 32, Block 287, Map-223.

The subject property zoned MF-3000 is generally located between 32nd and 33rd Streets, north of Newton Avenue to

the alley and south of Newton Avenue to the I-5 right-of-way, and is further described as Seaman and Choates Addition, Lots 17 through 20, Block 287, and Lots 29 through 32, Block 288, Map-223; and
d) Rezoning a Southcrest site from Zone MF-1500 to Zone MF-2500. The subject property is generally located south of Logan Avenue and west of 45th Street, and is further described as Caruther's Addition, portion of Lot 3, Map-27.
2) Incorporating the Sherman Heights Historic District into the Southeast San Diego Planned District Ordinance and rescinding the Sherman Heights Historic District Ordinance. Amending the Sherman Heights Historic District Design

Criteria and Guidelines, Ordinance No. 00-16892-2 to become the Sherman Heights and Grant Hill Park Historic District Guidelines and Criteria.

3) Revising the Southeast San Diego Planned District Ordinance, amending Divisions 17 and 18, Sections 103.1700 through 103.1707 and 103.1800 through 103.1809 of the San Diego Municipal Code.

The Southeast San Diego area encompasses approximately 7,100 acres and is located south of State Highway 94, east of I-5, north of National City and Plaza Boulevard and west of Woodman and 69th Streets. The proposed revisions are in conformance with the adopted Southeast San Diego Community Plan.

(Districts-3, 4 and 8.)

Subitem-A: (O-90-90)

Introduction of an Ordinance for SF-6000 Zoning in the Encanto neighborhood; CSR Zoning in the Lincoln Park neighborhood; I-1 Zoning in the Memorial neighborhood; and MF-2500 Zoning in the Southcrest neighborhood, all located in the Southeast Planned District.

Subitem-B: (O-90-105)

Introduction of an Ordinance amending the Sherman Heights Historic District Design Criteria and Guidelines to become the Sherman Heights and Grant Hill Park Historic District.

Subitem-C: (O-90-89)

Introduction of an Ordinance amending the San Diego Municipal Code as it relates to the Sherman Heights Historic District and the Southeast San Diego Planned District Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B016-233.)

Testimony in favor by Verna Quinn.

Testimony in opposition by Walter Fisher.

MOTION BY PRATT TO CONTINUE ONE WEEK FOR THE CITY ATTORNEY TO INCORPORATE AMENDMENTS IN THE PLANNED DISTRICT ORDINANCE:

1) ADD THE FOLLOWING LANGUAGE TO SECTION 103.1706.B (PDO PAGE 24): "3. EXCEPTION: COMMUNITY COMMERCIAL CATEGORY-2 USES

MAY BE PERMITTED IN NEIGHBORHOOD COMMERCIAL CATEGORY-1 ZONES WHERE THE SUBJECT PROPERTY HAS DIRECT VEHICLE ACCESS FROM TWO STREETS CLASSIFIED AS MAJOR STREETS. FOR THIS EXCEPTION, ALL APPROVED COMMUNITY COMMERCIAL USES WILL BE SPECIFIED AS CONDITIONS OF A SOUTHEAST SAN DIEGO DEVELOPMENT PERMIT." 2) ADD THE FOLLOWING LANGUAGE REGARDING CHILDREN'S PLAY AREAS TO SECTION 103.1705.L.2 (PDO PAGE 18): "TO CONTAIN A MINIMUM AREA TOTALING 20 SQUARE FEET PER UNIT." 3) ADD THE FOLLOWING LANGUAGE REGARDING ALCOHOL SALES TO APPENDIX C, SECTION D (PAGE 9 of the PLANNING REPORT): "FOR OFF THE PREMISES OF SALE LICENSED OPERATIONS AND MAY IMPOSE THE FOLLOWING CONDITIONS FOR ON THE PREMISES OF SALE LICENSED OPERATIONS." DELETE THE FOLLOWING LANGUAGE REGARDING ALCOHOL SALES FROM APPENDIX C, SECTION D, NUMBER 8 (PAGE 9 OF THE PLANNING REPORT): "NO REFRIGERATED OR OTHERWISE CHILLED ALCOHOLIC BEVERAGES SHALL BE SOLD OR MAINTAINED ON PREMISES LICENSED FOR ALCOHOL CONSUMPTION 'OFF THE PREMISES OF SALE'." 4) ADD THE FOLLOWING LANGUAGE REGARDING THE SHERMAN HEIGHTS HISTORIC DISTRICT TO SECTION 103.1702.C.4.a (PDO PAGE 5): "(3) NO APPLICATION FEE/DEPOSIT IS REQUIRED FOR THE REHABILITATION OF OWNER-OCCUPIED SINGLE FAMILY STRUCTURES." Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea,

Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-90-91) REFERRED TO T&LU COMMITTEE

Proposal to amend Chapter VI, Article 9, Section 69.0101 et seq. of the San Diego Municipal Code (Environmental Quality Ordinance) and Chapter I, Article 2, Section 22.2402 to incorporate procedures for implementation of the California Environmental Quality Act (CEQA) and the State CEQA guidelines; to repeal sections redundant of CEQA and the State CEQA guidelines; to repeal CEQA implementation guidelines dated February 1974; and to amend Section 22.2402 to reflect the new Planning Department structure. (City-wide.)

Introduction of an Ordinance amending the San Diego Municipal Code.

NOTE: See Item 333 on today's docket for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E188-270.)

MOTION BY McCARTY TO REFER ITEMS-332 AND -333 BACK TO THE T&LU COMMITTEE FOR FURTHER DISCUSSIONS. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-90-694) REFERRED TO T&LU COMMITTEE

Authorizing the Planning Director to implement the environmental report preparation procedures outlined in Planning Department Report PDR-89-495. These procedures generally provide for:

1. The establishment of a List of Qualified Environmental Consultants who would be responsible for the preparation of environmental reports;
2. The utilization of a Three-Party Agreement involving the City, the consultant, and the project applicant,

wherein the consultant agrees to provide services pursuant to the direction of Planning Department Environmental Analysis Section staff and operate independently of the applicant. The applicant would agree to retain the services of a consultant from the City's list of qualified consultants and allow the consultant to independently prepare the environmental report.

NOTE: See Item 332 on today's docket for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E188-270.)

MOTION BY McCARTY TO REFER ITEMS-332 AND -333 BACK TO THE T&LU COMMITTEE FOR FURTHER DISCUSSIONS. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (R-90-370) ADOPTED AS RESOLUTION R-274998

(Continued from the meeting of November 14, 1989, Item 337, at the City Manager's request, for proper noticing.)

Matter of a proposal to adopt:

- 1) The addition of an Urban Design Element to the existing University Community Plan. The purpose of the Urban Design Element is to establish design guidelines for new development and public street improvements, and to enhance pedestrian circulation in the central community;
- 2) Minor revisions to the Community Plan text; and
- 3) Modifications to the 1987 community plan required by the Coastal Commission. (A portion of the University Community is within the coastal zone.)

The University Community Plan is bounded by Los Penasquitos Lagoon and the toe of the east facing slopes of Sorrento Valley on the North; the tracks of the Atchison, Topeka and Santa Fe Railroad, NAS Miramar and I-805 on the east; State Route 52 on the south; and I-5, Gilman Drive, North Torrey

Pines Road, La Jolla Farms, and the Pacific Ocean on the west.

The Environmental Quality Division has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the State CEQA Guidelines.

The proposed plan additions and revisions also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If adopted by the City the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Adoption of a Resolution adopting an amendment to the University Community Plan and an amendment to the North City Local Coastal Program Land Use Plan (of which University Community Plan is a part), and authorizing and directing the Planning Director to transmit this Local

Coastal Program amendment to the California Coastal Commission for its final and effective certification.

FILE LOCATION: LAND - University Community Plan

COUNCIL ACTION: (Tape location: E276-307.)

Hearing began at 3:36 p.m. and halted at 3:38 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: CONTINUED TO FEBRUARY 20, 1990

(Continued from the meetings of November 13, 1989, Item 201 and December 4, 1989, Item 200; last continued at the City Manager's request, to complete the Section 106 process with the State.)

Consideration of a Coastal Development Permit to allow the demolition of six buildings totaling 39,602 square feet,

and varying in height from one story to three stories, and known as the Savage Tire Factory/Aztec Brewery buildings. The subject property totals 4.2 acres, and is located on the City blocks bounded by Sampson Street, Main Street, Schley Street and Harbor Drive and is described as Lots 25-48, Blocks 78 and 79, Map-379, San Diego Land and Town Company's Addition. The Area "D" zoned site is within the Barrio Logan Planned District and the Barrio Logan Community Plan area.

(CDP-89-0906. District-8.)

Subitem-A: (R-90-740)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-88-0741 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-90-744)

Adoption of a Resolution granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CDP-89-0906

COUNCIL ACTION: (Tape location: D056-061.)

MOTION BY FILNER TO CONTINUE ITEMS-335 AND -336 TO FEBRUARY 20, 1990, AT THE REQUEST OF THE ASSISTANT CITY MANAGER BECAUSE THE CITY IS STILL HAVING DISCUSSIONS WITH THE STATE AND FEDERAL GOVERNMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: CONTINUED TO FEBRUARY 20, 1990

(Continued from the meetings of November 13, 1989, Item 202 and December 4, 1989, Item 201; last continued at the City Manager's request, to complete the Section 106 process with the State.)

Three actions relative to the acceptance and subsequent disposition of Aztec Brewery Murals/Artwork Ensemble: (See City Manager Report CMR-89-513. Barrio Logan Community Area. District-8.)

Subitem-A: (R-90-741)

Authorizing the City Manager to execute an agreement with Northern Automotive Corporation to accept the donation from Northern Automotive Corporation of the Aztec Brewery murals/artwork ensemble; thanking Northern Automotive Corporation for donating the murals/artwork ensemble to the City and acknowledging Northern Automotive Corporation's civic generosity in making the murals/artwork ensemble available for the viewing and enjoyment of the public.

Subitem-B: (R-90-742)

Authorizing the City Manager to execute a Loan for Use Agreement with Luis E. Garcia, Inc. for the purpose of temporarily placing the murals/artwork ensemble in Chuey's Restaurant for public display and storage until a permanent site can be arranged; thanking Luis E. Garcia, Inc. for making a location available to the public for the display

and storage of the murals/artwork ensemble until a permanent location can be arranged.

Subitem-C: (R-90-743)

Declaring the City Council's intent to provide a permanent site for the murals/artwork ensemble, according to the following criteria:

1. That, assuming that the Mercado del Barrio project is implemented under the California Community Redevelopment Law, and that the project includes a Cultural Center, then the Cultural Center shall receive the murals/artwork ensemble, and shall incorporate them in an area which

replicates the interior of the Aztec Brewery Rathskeller;

2. That, in the event that the Mercado del Barrio project cannot be implemented, the City Council shall take all necessary steps to see that the murals/artwork ensemble will be placed in a site which is accessible to the public, which will assure its reservation, and which will be located in the Barrio Logan community in a facility which replicates the interior of the Aztec Brewery Rathskeller as closely as possible. In such event, the City shall consult with representatives of the Barrio Logan community to establish a site that best fulfills the interests of that community;

3. That, regardless of where and how sited, the murals/artwork ensemble shall remain intact as an ensemble and, when permanently sited, shall be available for public viewing at regular and reasonable hours, with an admission fee that is no greater than necessary to cover reasonable administrative costs shall be prominently placed at the site a plaque identifying the murals/artwork ensemble as historic, identifying the murals of Jose Moya del Pino, and describing the artistic, cultural, and historic significance of the murals/artwork ensemble and the Aztec Brewery buildings; and

4. That, when permanently sited, the City shall take particular care to assure the preservation of the murals/artwork ensemble in reference to ventilation, lighting, heating, and any other relevant factors.

NOTE: See Item 335 for a companion item.

FILE LOCATION: Subitem-A: GEN'L - Historical Site Board
Appeals & Decisions, Savage Tire
Factory/Aztec Brewery; Subitem-B,C: - -

COUNCIL ACTION: (Tape location: D056-061.)

MOTION BY FILNER TO CONTINUE ITEMS-335 AND -336 TO FEBRUARY 20, 1990, AT THE REQUEST OF THE ASSISTANT CITY MANAGER BECAUSE THE CITY IS STILL HAVING DISCUSSIONS WITH THE STATE AND FEDERAL GOVERNMENTS. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-337: (O-90-81) NOTED AND FILED

(Continued from the meeting of November 21, 1989, Item 341,
at Council Member Henderson's request, for further review.)
Proposed rezoning of approximately 44 acres in the Apache
Street area, located west of Clairemont Drive, south of Ute
Drive, from Zone R-3000 to Zone R1-5000. This matter is
related to the implementation of the Clairemont Mesa
Community Plan, adopted September 26, 1989.
(District-6.)
Introduction of an Ordinance for R1-5000 Zoning for the
Apache Street area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E308-475.)

Hearing began at 3:38 p.m. and halted at 3:49 p.m.

Testimony in opposition by Dave Wilhite, Mark Freeman, Claude
Summers and Liz Fong Wills.

Deputy Mayor Wolfsheimer left at 3:46 p.m.

**MOTION BY HENDERSON TO CLOSE THE HEARING AND NOTE AND FILE THE
ITEM. Second by Pratt. Passed by the following vote:**

Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-338: (R-90-841) ADOPTED AS RESOLUTION R-274999

Approving the Fiscal Year 1989 Annual Report of the
Redevelopment Agency, pursuant to Division 24, Part 1 of
the State Health and Safety Code.
(See the Redevelopment Agency Report.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E482-F075.)

MOTION BY McCARTY TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: (R-90-1040) CONTINUED TO JANUARY 23, 1990

Considering a cooperation agreement between the Agency and County for nine additional Superior Courtrooms.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: F076-113.)

Motion by McCarty to adopt contingent upon approval of the CUP. Second by Roberts. No vote taken.

MOTION BY FILNER TO CONTINUE FOR ONE WEEK. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-90-1073) ADOPTED AS RESOLUTION R-274988

Authorizing the expenditure of an amount not to exceed \$835,000 from Sewer Revenue Fund 41506 (CIP-46-154.0) for the acquisition of property and related costs for the South Bay Land Outfall Project.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The problem of transborder sewage flows from Tijuana has impacted the San Diego area for over 50 years. A solution to this problem is now being undertaken by the International Boundary and Water Commission (IBWC). This solution consists of a new international sewage treatment plant with associated land and ocean outfalls for disposal. Concurrently, the Clean Water Program (CWP) is planning for sewerage facilities to handle San Diego sewage flows in the South Bay. Since the IBWC and the CWP plans both propose facilities in the same location, the opportunity has

arisen for sharing of capacity and costs in the land and ocean outfall disposal system. The South Bay Land Outfall (SBLO) is the first phase in this coordinated effort for effluent disposal. This requested action will provide for the acquisition of a 60-foot-wide right-of-way, 12,000 feet in length, over 12 privately owned parcels of land for the construction of the SBLO.

Aud. Cert. 9000594.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A233-256.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401:

Two actions relative to the final subdivision map of Parcel Map W.O. No. 88-0941, a 5-parcel Parcel Map located northeasterly of El Camino Real and Carmel Valley Road: (North City West Community Area. District-1.)

Subitem-A: (R-90-1062) ADOPTED AS RESOLUTION R-274989

Approving the final map.

Subitem-B: (R-90-1063) ADOPTED AS RESOLUTION R-274990

Authorizing the execution of an agreement with Carmel Valley Partners I for the purpose of providing half-width improvements to Carmel Valley Road.

CITY MANAGER SUPPORTING INFORMATION: The Council Resolution approving the Tentative Map for the proposed Carmel Del Mar Hotel at the northeast corner of Carmel Valley Road and El Camino Real requires the developer to dedicate additional right-of-way and improve the north half of Carmel Valley Road. Recognizing that Carmel Valley Road is proposed to become a freeway, the resolution also allows the developer to defer the

improvements up to six years if they execute a bonded agreement assuring the completion of the improvements or their financial participation if the improvements are made by CalTrans. The developer has executed the agreement and posted a bond in the amount of \$101,024 to assure their commitment.

FILE LOCATION: SUBD - PARCEL MAP 12871, PARCELS 2 AND 3,
ETC. CONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)
CONSENT MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-90-950) ADOPTED AS RESOLUTION R-274991

(Continued from the meeting of January 8, 1990, Item 104, at Council Member Wolfsheimer's request, so that staff can brief her on what is being authorized.)

Awarding a contract to Police Defensive Systems, Inc. for furnishing OPN Units, as may be required for a period of one year beginning January 1, 1990 through December 31, 1990, for an estimated cost of \$84,942, including tax and terms. (BID-F1095/90)

FILE LOCATION: CONT - PURCHASE - POLICE DEFENSIVE SYSTEMS,
INC. CONT FY90-1

COUNCIL ACTION: (Tape location: A233-256.)
MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-90-930) ADOPTED AS RESOLUTION R-274992

(Continued from the meeting of January 8, 1990, Item 128,
at Council Member Wolfsheimer's request, to request more
information from staff regarding tonnage of trucks.)

Prohibiting commercial vehicles with a gross vehicle weight
rating over 10,000 pounds, from operating on Lomica Drive
between Bernardo Center Drive and Gabarda Road, pursuant to
California Vehicle Code Section 35700 et seq.; authorizing
the installation of the necessary signs and markings;
declaring that the hereinabove imposed regulations shall
become effective upon the installation of such signs.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed 5-ton truck
load limit on Lomica Drive between Bernardo Center Drive and
Gabarda Road was requested by the residents that live in the
surrounding area. Investigation of the location revealed that
considerable number of trucks use Lomica Drive as a shortcut to
and from Bernardo Center Drive on the west end and Pomerado Road
on the east. Lomica Drive is located within a residential
neighborhood. Rancho Bernardo Road which is parallel to Lomica
Drive is a four-lane major road designed to handle truck traffic
and should be used as an alternate route. Staff recommends
implementation of the requested truck load limit at the above
location.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A233-256.)

MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-90-1074) ADOPTED AS AMENDED AS RESOLUTION
R-274993

Creating a Redistricting Advisory Board pursuant to Section
43(b) of the City Charter consisting of 17 members and
appointing members thereto.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B230-C189.)

Motion by Bernhardt to refer the item to the Rules Committee to discuss the make up of the committee. Second by Hartley.

Motion withdrawn.

Motion by Filner to continue the item for one week to discuss the appointments with the Mayor. Second by Hartley. Failed.

Yeas: 3,8. Nays: 1,2,4,5,6,7,M.

MOTION BY BERNHARDT TO ADOPT AS AMENDED, SUBSTITUTING COUNCIL MEMBER HARTLEY'S APPOINTEE TO JIM BLIESNER. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S405: (R-90-1067) ADOPTED AS RESOLUTION R-274994

Approving a Representative Project Area Committee for the Central Imperial Redevelopment Project Area.
(See memorandum from the SEDC Executive Vice President. Southeast San Diego Community Area. District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C190-223.)

MOTION BY PRATT TO ACCEPT SEDC'S RECOMMENDATION TO LOWER THE NUMBER OF PARTICIPANTS FROM 21 TO 15. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S406: (O-90-119 Rev.1) INTRODUCED AND ADOPTED AS ORDINANCE
O-17414 (New Series)

(Continued from the meeting of January 9, 1990, Item 330, at the City Attorney's request, so that the revisions can be made to the ordinance.)

Consideration of an Emergency Ordinance which would prevent public hearings and the issuance of development and building permits within a portion of the Otay Mesa Community Plan area. Emergency Ordinance O-17186, enacted November 21, 1988 prevented hearings for development applications within a portion of Otay Mesa for one year to preserve Otay Mesa for consideration as a potential future site of a regional commercial airport. The City Council has since authorized the San Diego Association of Governments to conduct an additional analysis of Brown Field as a potential component of a multi-airport system and wishes to protect that option until this analysis is completed. The subject of this hearing will be a proposal to impose a moratorium on public hearings, development permits and building permits for a period of ninety (90) days to allow SANDAG to complete their analysis.

(District-8.)

(Initiated by Rules Committee on 12/6/89. Recommendation to approve the proposed moratorium. Districts 1,2,4,5, 8 and Mayor voted yea.)

Introduction and adoption of an Emergency Ordinance.

NOTE: 6 votes are required.

FILE LOCATION: LAND - OTAY MESA COMMUNITY PLAN

COUNCIL ACTION: (Tape location: C220-321.)

MOTION BY ROBERTS TO APPROVE THE REVISED ORDINANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

**ITEM-S407: (R-90-1071 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-274995**

Waiving the Permanent Rule of Council No. 34 (Council Policy 000-06) and granting reconsideration of action taken by the City Council on January 24, 1989 (Item No. 331) in respect to denying the request of Frederick and Raymond Hampe for a hearing of an appeal of the Planning Commission's denial of Vesting Tentative Subdivision Map No. 87-0115, Hampe Hills and accompanying rezoning Case-87-0115 from A-1 10,000 to OSP and R-1 5,000 (HRD), located at the southerly terminus of La Trutch Street between Stargaze Avenue and Rotherham Way within the Penasquitos East Community Planning Area; declaring that the hearing on the merits will require a 30 day notice period and be docketed for the Council agenda on February 20, 1990.
(District-1.)

FILE LOCATION: ZONE; SUBD - HAMPE HILLS

COUNCIL ACTION: (Tape location: A189-195.)

MOTION BY WOLFSHEIMER TO WAIVE THE RULES. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO RECONSIDER THE ITEM. Second by

Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO SET THE HEARING FOR FEBRUARY 27, 1990.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (R-90-1075) ADOPTED AS RESOLUTION R-275000

Directing the City Attorney to prepare, for City Council consideration, an emergency ordinance imposing a prohibition on the issuance of residential building permits in the County Island area of the Scripps Ranch Community until highways, schools, and an adequate water supply system have been assured to serve the area pursuant to

Municipal Code section 91.01; directing the City Manager and Planning Director to prepare a report on the status of the enumerated facilities and the impacts to be expected from residential development in the County Island area if the enumerated facilities are not developed concurrently with the residential development of the County Island area. (Scripps Miramar Ranch and Miramar Ranch North Community Area. District-5.)

SUPPORTING INFORMATION: The Scripps Miramar Ranch Planning Group recently passed Resolution 16-1, asking the City to deny the issuance of building permits for County Island Projects, due to the concerns about inadequate facilities pursuant to the postponement of the Miramar Ranch North project. The traffic volume on Pomerado Road is currently almost three times the design capacity of the roadway. Requested is a denial of issuance of building permits and a halt to the processing and issuance of all development maps in the Scripps Miramar-Ranch and Miramar Ranch North planning areas until the inadequacies in the infrastructure for the area can be addressed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D100-E185.)

MOTION BY BERNHARDT TO ADOPT THE RESOLUTION "DIRECTING THE CITY ATTORNEY, CITY MANAGER AND CITY PLANNING DIRECTOR TO PREPARE AN EMERGENCY ORDINANCE AND A STAFF REPORT THAT SUPPORTS THE BASIS FOR SUCH ORDINANCE TO BE RETURNED TO COUNCIL WITHIN TWO WEEKS, AND THAT SAID ORDINANCE AND REPORT SHALL PROVIDE FOR THE FOLLOWING: ORDINANCE - (1) PREVENTS THE ACCEPTANCE FOR

PROCESSING OF ANY AND ALL APPLICATIONS FOR DEVELOPMENT APPROVALS IN THE SCRIPPS MIRAMAR RANCH COMMUNITY PLANNING AREA, INCLUDING COUNTY ISLAND AND THE MIRAMAR RANCH NORTH COMMUNITY PLANNING AREA; (2) REQUEST THE CITY MANAGER TO DETERMINE WHETHER THE ISSUANCE OF OCCUPANCY PERMITS AND SEWER HOOK-UPS FOR ALL UNITS WHICH HAVE ALREADY OBTAINED BUILDING PERMITS IN THE SCRIPPS MIRAMAR RANCH COMMUNITY PLANNING AREA KNOWN AS COUNTY ISLAND COULD BE PHASED; AND (3) REQUEST THE CITY MANAGER TO DETERMINE WHETHER THE ISSUANCE OF BUILDING PERMITS THAT ARE AVAILABLE FOR THE ABOVE-REFERENCED COUNTY ISLAND PROJECTS COULD ALSO BE PHASED; AND, WITH RESPECT TO THE REQUESTED REPORT - (4) THAT THE CITY MANAGER AND PLANNING DIRECTOR CONFIRM THE PHASING SEQUENCE AS FOUND IN THE SCRIPPS MIRAMAR RANCH AND MIRAMAR RANCH NORTH COMMUNITY SCRIPPS MIRAMAR RANCH AND MIRAMAR RANCH NORTH COMMUNITY PLANS AND THE TENTATIVE MAPS IN THOSE AREAS WHICH PROVIDE THAT POMERADO ROAD CAN ONLY BE REOPENED WHEN SOUTH POWAY PARKWAY (ALTERNATIVE 8A) IS CONSTRUCTED FROM I-15 TO POMERADO ROAD AND ONLY AFTER POMERADO ROAD IS IMPROVED; AND (5) THAT THE CITY MANAGER BE DIRECTED TO REVIEW THE POMERADO RELIEF TRUNK SEWER AGREEMENT OF 1980 BETWEEN THE CITY OF POWAY AND THE CITY OF SAN DIEGO TO DETERMINE WHETHER THE DEVELOPER CAN PROCEED WITH SEWER HOOK-UP WITHOUT COMPLETING THE IMPROVEMENTS TO POMERADO ROAD; AND (6) THAT SAID REPORT IDENTIFY THE EXACERBATED IMPACT AREAS, AND THE DELETED ROAD/PUBLIC FACILITIES IMPACTS; AND (7) THAT THE CITY MANAGER BE REQUESTED TO EXTEND THE TIME ON THE BUILDING PERMITS ALREADY ISSUED UNTIL SUCH TIME AS THIS MATTER CAN BE RESOLVED; AND (8) THAT THE CITY MANAGER WORK WITH THE CITY ATTORNEY AND THE PLANNING DIRECTOR, AS WELL AS PROJECT APPLICANTS AND ANY OTHER INTERESTED PARTIES, PARTICULARLY THE SCRIPPS RANCH PLANNING GROUP AND MY OFFICE TO ACHIEVE AN ACCEPTABLE RESOLUTION OF THE SITUATION AS ENUMERATED PREVIOUSLY IN THIS MOTION;"

ADDITIONAL BUSINESS:

"(9) THAT ITEM-130 FROM THE JANUARY 8, 1990, CITY COUNCIL MEETING, REGARDING THE FREEWAY INTERCHANGE IMPROVEMENT AGREEMENTS FOR THE I-15/MERCY ROAD INTERCHANGE, BE DOCKETED FOR RECONSIDERATION ON NEXT WEEK'S, JANUARY 22, 1990, COUNCIL."

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-CS-1: (R-90-1087) ADOPTED AS RESOLUTION R-275001

A Resolution adopted by the City Council in Closed Session
on January 16, 1990:

Authorizing the City Manager to pay the total sum of
\$125,000 in settlement, Superior Court Case No. 558830, of
each and every claim against the City, its agents and
employees, resulting from a breach of contract to Edmond J.
Vadnais, Inc.; authorizing the City Auditor and Comptroller
to issue one check in the amount of \$125,000 made payable
to Edmond J. Vadnais, Inc. and G. Christian Roux, Esq., the
Attorney of Record, in full settlement of all claims.
Aud. Cert. 9000638.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:17 p.m. in honor of the memory of Reverend Paul G. Satrang.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F243-245).